

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CRAIG ROBLEDO-VALDEZ

Plaintiff,

v.

PRISON TRANSPORT SERVICES,

et al.

Defendants.

]

]

]

]

]

]

]

No. 3:17-0158

Chief Judge Sharp

MEMORANDUM

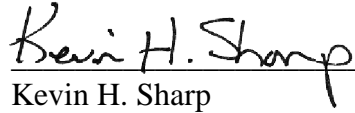
The plaintiff, proceeding *pro se*, is an inmate at the Sterling Correctional Facility in Sterling, Colorado. He brings this action pursuant to 42 U.S.C. § 1983 against Prison Transport Services, a Tennessee company, and two John Doe employees of that company, seeking injunctive relief and damages.

According to the complaint, a team consisting of the John Doe defendants escorted the plaintiff from the Bexar County Jail in San Antonio, Texas to his present place of confinement. The trip took six days. The plaintiff complains about conditions of his confinement during the trip. More specifically, he complains about being shackled and handcuffed for the entire trip. The plaintiff also complains that he was not allowed to shower, shave or brush his teeth. He further contends that he was forced to eat nothing but fast food on the journey, that he was often cold, and that the John Doe defendants assaulted him.

The complaint arrived in the Clerk's Office on January 23, 2017. According to the complaint,

the plaintiff's claims arose when he was transported in 2015. Thus, it appears that this action is time-barred by the one year statute of limitations imposed upon civil rights claims brought in Tennessee. Merriweather v. City of Memphis, 107 F.3d 396, 398 (6th Cir.1997). Nothing in the complaint suggests that the statute should be tolled so as to permit the untimely filing of the complaint. The Court, therefore, concludes that the plaintiff has failed to state a claim upon which relief can be granted because this action is untimely. Dellis v. Corrections Corp. of America, 257 F.3d 508, 511 (6th Cir.2001)(*sua sponte* dismissal of an untimely prisoner complaint is appropriate). Under such circumstances, the Court is obliged to dismiss the complaint. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.


Kevin H. Sharp
Chief District Judge